

Remarks/Arguments

In the non-final Office Action dated October 29, 2007, it is noted that claims 1 – 22 are pending; that the abstract and the disclosure in the specification are objected to; that the cited references in the IDS is requested; that claim 7 is objected to; that claims 1, 11 – 13, 19, and 21 – 22 stand rejected under 35 U.S.C. §102; and that claims 2 – 10, 14 – 18 and 20 stand rejected under 35 U.S.C. §103.

In the present amendment, claims 10 – 12, 21 and 22 have been cancelled without prejudice, new claims 23 – 26 have been added and claims 1 – 5, 7, 9, 13 – 17, 19 and 20 have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. The support for these new and amended claims can be found in the specification, for example from page 9 line 29 to page 10 line 8. No new matter is believed to be added by the present amendment.

Objection to the Abstract

In the Office Action, it is indicated that the abstract of the disclosure should be one paragraph only. Applicants have reformatted the abstract into a single paragraph, and submit herein the amendments to the abstract in the form of a Replacement Abstract. No new matter has been added. Applicants respectfully request that the objection to the abstract be withdrawn.

Objection to the Specification

The disclosure in the specification is objected to because of the following informalities:

- On page 1, line 15, "CDS" should be "CDs".
- On page 6, lines 34 to 35 are not a grammatical sentence.
- On page 7, line 2, "preamble" is not idiomatic.
- On page 8, line 7, "dimension" should be "dimensions".
- On page 9, line 37, "this have" is not idiomatic.
- On page 11, line 30, a new sentence should be started after "dimensions".
- On page 12, line 35, "Figure 7" should be "Figure 6".
- On page 13, lines 1 to 3 are not idiomatic.

On page 13, line 1, should "angle" be "angle decreases"?

Applicants have corrected these informalities in the present amendments to the specification. No new matter has been added. Applicants respectfully request that the objection to the specification be withdrawn.

Information Disclosure Statement

In the Office Action, it is indicated that the references cited in the specification on page 2, lines 11 – 27; page 7, lines 24 – 26 and page 8, lines 14 – 16 are not readily available to the USPTO and may be relevant to examination. In response to the request to provide copies of these references, Applicants have submitted herewith an IDS including the following cited references: (1) FEITEN, et al., "Automatic Indexing of a Sound Database Using Self-organizing Neural Nets"; (2) MAKHOUL, et al., "Speech and Language Technologies for Audio Indexing and Retrieval"; (3) SAPORTA, "Analysis probabilities of data and statistics"; and (4) SCHEIRER, "Music –Listening Systems." Consideration of these references is respectfully requested. Regarding the Saporta reference, Applicants note that this is a 493 page book published in French. This book was cited to show principal component analysis (PCA). The portions of the book that are believed to be relevant have been translated and are submitted with the IDS. Additionally, the table of contents have been translated for the examiner's review so that if the examiner believes that another portion of the book may be relevant, applicant can provide further translations as required.

Objection to claim 7 as being informal

In the Office Action, it is indicated that claim 7 should depend on claim 3, instead of claim 4. Applicants have amended claim 7 to correct this informality. Withdrawal of the objection to claim 7 is respectfully requested.

Rejection of claims 1, 11 – 13, 19 and 21 – 22 under 35 USC 102(b) as being anticipated by Okada (JP 7-044575)

Applicants submit that for at least the reasons discussed below claims 1, 11 – 13, 19 and 21 – 22 are not anticipated under 35 U.S.C. 102(b) by Okada.

Claim 1 is an independent method claim, and claim 13 is an independent apparatus claim from which claim 19 depends. Claims 10 – 12, 21 and 22 have been cancelled.

Applicants' amended claim 1 recites "reproduction of several identifiers of a document representing a group, the reproduced identifiers having a position situated at a distance less than a determined distance with respect to the position of the user in the space, the identifiers being reproduced loopwise when this group is selected."

[Emphasis added]

In contrast, Okada paragraph [0028] discloses:

"the audio information could be pre-classified into a number of groups, with the audio information belonging to a particular group being grouped together within a certain range inside the virtual audio space. When the user is outside a certain group, he is only able to hear the representative sound of this group oriented in the acoustic image at the group's centre of gravity. The representative sound of a group may be a single item of audio information, or it may be the collective sound of the entire group". [Emphasis added]

In Okada, the representative sound of a group is either (a) a single item of audio information, or (b) the collective sound of the entire group. (a): If the representative sound is a single item of audio information, the representative sound in Okada, having only a single item, is clearly not a "reproduction of several identifiers of a document representing a group" as claimed. (b): If the representative sound is the collective sound of the entire group, implying that individual audio information not being reproduced loopwise, then it is inconsistent with "the identifiers being reproduced loopwise when this group is selected" as claimed. Therefore, Okada does not teach or suggest the above features as claimed in claim 1.

In view of the foregoing, Applicants submit that claim 1 is not anticipated by Okada. Withdrawal of the rejection of claim 1 under U.S.C. 102(b) is respectfully requested. Applicants' independent claim 13 recites an apparatus and includes several similar distinguishing features as discussed above with respect to claim 1. Applicants essentially repeat the above arguments for claim 1 and apply them to the apparatus of

claim 13 pointing out why claim 13 is not anticipated by Okada. Withdrawal of the rejection of claim 13 under 35 U.S.C. 102(b) is respectfully requested. Withdrawal of the rejection of claim 19 under 35 U.S.C. 102(b) is further requested because it depends from and therefore inherits all the limitations of claim 13 and includes further distinguishing features.

In addition, new claims 23 – 26 are believed to be patentable over Okada because they depend from claims 1 and 13 and each new claim includes further distinguishing features not found in any of the cited references.

Rejection of claims 2 and 14 under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Hinde (US 7,190,794)

Applicants submit that the teaching of Hinde does not in any way cure the deficiencies present in the teaching of Okada with regard to claims 1 and 13 as discussed above. Since claims 1 and 13 are patentable over Okada, claims 2 and 14 are also patentable because they depend from claims 1 and 13 respectively.

Furthermore, Hinde, Fig. 8, apparently discloses that several different services are grouped in floors of a virtual building. Since a specific sound is associated with a specific service, there is no sense to group several sounds having similar characteristic. The grouping of services (and the associated sounds) is based on the type of the services (see column 12, lines 41 – 43), not based on similar audio characteristic as claimed. Therefore, the user can select the floor according to the type of service provided by this floor; a single sound characterizes the type of service. Hinde does not teach nor suggest that several identifiers of a document representing a group, as claimed.

Withdrawal of the rejection of claims 2 and 14 under 35 U.S.C. 103(a) is respectfully requested.

Rejection of claims 3 – 10, 15 – 18 and 20 under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Foote et al. (US 20030205124)

Applicants submit that the teaching of Foote does not in any way cure the deficiencies present in the teaching of Okada with regard to claims 1 and 13 as discussed above. Since claims 1 and 13 are patentable over Okada, claims 3 – 10, 15 – 18 and 20 are also patentable because they depend from claims 1 and 13.

In contrast to the claimed invention, Foote, paragraph [0105] discloses the classification of music into genres:

“the source audio may be classified into genres of music. Accordingly, many common classification and machine-learning techniques can be used to classify the musical work based upon the work's corresponding vector representation. For example, a statistical classifier may be constructed to categorize unknown musical works into a given set of classes or genres. Genres of music may include blues, classical, dance, jazz, pop, rock, and rap.”

Therefore, Foote discloses groups of documents according to predetermined types, such as: blues, classical, dance, jazz, pop, rock, and rap, but does not teach the identification of each group. Accordingly, in Foote, each group will be identified by a single identifier corresponding to the type of music, either a text, either a representative document of this type of music, and there is not motivation to reproduce loopwise several identifiers. Therefore, Foote does not teach “several identifiers of a document representing a group,” or “the identifiers being reproduced loopwise when this group is selected” as claimed.

Withdrawal of the rejection of claims 3 – 10, 15 – 18 and 20 under 35 U.S.C. 103(a) is respectfully requested.

Conclusions

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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